United Nations S/RES/1945 (2010)

Security Council

Distr.: General
14 October 2010

Resolution 1945 (2010)

Adopted by the Security Council at its 6401st meeting, on 14 October 2010

The Security Council,

Recalling its previous resolutions and statements of its President concerning Sudan,

Reaffirming its commitment to the cause of peace throughout Sudan, to the sovereignty, independence, unity and territorial integrity of Sudan, to the full and timely implementation of the final phase of the Comprehensive Peace Agreement (CPA), including efforts to make unity attractive and a referendum to determine the future status of the people of Southern Sudan in exercise of their right to self-determination, and *recalling* the importance of the principles of good neighbourliness, non-interference and cooperation in the relations among States in the region,

Welcoming the communiqué issued after the high-level meeting on Sudan held in New York on 24 September 2010 (SG/2165),

Reiterating its full support for efforts to reach a comprehensive and inclusive solution to the conflict in Darfur, and *bearing in mind* the Darfur Peace Agreement, the need for the completion of the political process, and an end to the violence and abuses in Darfur,

Reiterating the need for a lasting political solution and sustained security in Darfur, and *urging* all parties that continue to abstain from the peace process to join the Doha negotiations without preconditions or further delays and for all parties to engage fully and constructively in the process and cooperate with the African Union/United Nations Joint Chief Mediator Djibril Bassolé,

Welcoming the 15 January 2010 agreement between the governments of Chad and Sudan to normalize their relations and strongly encouraging Chad and Sudan to continue to implement this agreement and refrain from supporting rebel forces and all other armed groups,

Noting with deep concern the increases in violence, and rising inter-tribal fighting, as well as ongoing sexual and gender-based violence and impunity, and *reiterating* its deep concern about attacks on humanitarian personnel and peacekeepers, the security of civilians, and *calling* on all parties in Darfur to cease

Please recycle

offensive actions immediately and to refrain from further violent attacks causing consequent poor humanitarian aid situation and restricted humanitarian access to populations in need,

Demanding that the parties to the conflict exercise restraint and cease military action of all kind, including aerial bombardments,

Demanding an immediate and complete cessation by all parties to armed conflict of all acts of sexual violence against civilians in line with resolutions 1325 (2000), 1820 (2008), 1888 (2009), and 1889 (2009); recruitment and use of children in line with resolutions 1612 (2005) and 1882 (2009); and indiscriminate attacks on civilians in line with resolution 1894 (2009),

Commending the efforts of, and reiterating its full support for, the United Nations/African Union Hybrid Operation in Darfur (UNAMID), the African Union/United Nations Joint Chief Mediator, the United Nations Secretary-General, the League of Arab States, the African Union High Level Implementation Panel on Sudan, and the leaders of the region to promote peace and stability in Darfur, and expressing strong support for the political process under the African Union/United Nations-led mediation,

Welcoming the enhanced cooperation and information sharing between UNAMID and the Panel of Experts facilitated by the Department of Peacekeeping Operations' guidelines and the decision of UNAMID to establish a focal point to facilitate information sharing with the Panel of Experts regarding the arms embargo,

Recalling the 2 July 2010 midterm report by the Panel of Experts appointed by the Secretary-General pursuant to paragraph 3 (b) of resolution 1591 (2005) and extended by subsequent resolutions, *taking note* of the Panel of Expert's final report, and *expressing* its intent to study, through the Committee, the Panel's recommendations and to consider appropriate next steps,

While noting some positive developments, *expressing* concern over the obstacles that have been imposed on the work of the Panel of Experts during the course of its last mandate, including to freedom of movement,

Emphasizing the need to respect the provisions of the Charter concerning privileges and immunities, and the Convention on the Privileges and Immunities of the United Nations, as applicable to United Nations operations and persons engaged in such operations,

Determining that the situation in Sudan continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend until 19 October 2011 the mandate of the Panel of Experts, originally appointed pursuant to resolution 1591 (2005) and previously extended by resolutions 1651 (2005), 1665 (2006), 1713 (2006), 1779 (2007), 1841 (2008), and 1891 (2009), and *requests* the Secretary-General to take the necessary administrative measures as expeditiously as possible;

2. *Recalls* the Informal Working Group on General Issues of Sanctions report (S/2006/997) on best practices and methods, including paragraphs 21, 22, and 23 that discuss possible steps for clarifying methodological standards for monitoring mechanisms, including the Panel of Experts;

3. *Requests* the Panel of Experts to provide no later than 31 March 2011 a midterm briefing on its work and no later than 90 days after the adoption of this resolution an interim report to the Committee established pursuant to paragraph 3 (a) of resolution 1591 (2005) (hereinafter "the Committee") and a final report no later than 30 days prior to termination of its mandate to the Council with its findings and recommendations;

4. *Requests* the Panel of Experts to coordinate its activities as appropriate with the operations of the United Nations/African Union Hybrid Operation in Darfur (UNAMID) and with international efforts to promote the political process in Darfur, and to assess in its interim and final reports progress towards reducing violations by all parties of the measures imposed by paragraphs 7 and 8 of resolution 1556 (2005) and paragraph 7 of resolution 1591 (2005), and progress towards removing impediments to the political process, threats to stability in Darfur and the region, violations of international humanitarian or human rights law or other atrocities, including sexual- and gender-based violence, and other violations of the above-mentioned resolutions;

5. *Urges* all States, relevant United Nations bodies, the African Union and other interested parties, to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on implementation of the measures imposed by resolution 1591 (2005) and resolution 1556 (2004);

6. *Urges* all States, in particular those in the region, to report to the Committee on the actions they have taken to implement measures imposed by resolutions 1591 (2005) and 1556 (2004), including imposition of targeted measures;

7. *Reminds* all States, particularly States in the region, of the obligations contained in resolutions 1591 (2005) and 1556 (2004), in particular those obligations relating to arms and related materiel;

8. *Reiterates* paragraph 7 of resolution 1591 (2005), which provides for exceptions to the measures imposed by paragraphs 7 and 8 of resolution 1556 (2004) for:

(a) supplies and related technical assistance listed in paragraph 9 of resolution 1556 (2004);

(b) assistance and supplies provided in support of implementation of the Comprehensive Peace Agreement; or

(c) movements of military equipment and supplies into the Darfur region that are approved in advance by the Committee established under paragraph 3 (a) of resolution 1591 (2005) upon a request by the Government of Sudan;

9. *Decides* that all States, including Sudan, when relying on the exception contained in paragraph 7 of resolution 1591 (2005), shall notify the Committee in advance of providing assistance and supplies into the Darfur region in support of the implementation of the Comprehensive Peace Agreement in the states of North Darfur, South Darfur and West Darfur;

10. *Decides* that all States shall ensure that any sale or supply of arms and related materiel to Sudan not prohibited by 1556 (2005) and 1591 (2005), are made

conditional upon the necessary end user documentation so that States may ascertain that any such sale or supply is conducted consistent with the measures imposed by those resolutions;

11. *Expresses* its intention, following the midterm report, to review the state of implementation, including obstacles to full and effective implementation of the measures, imposed in resolution 1591 (2005), with a view to ensuring full compliance;

12. *Reaffirms* the mandate of the Committee to encourage dialogue with interested Member States, in particular those in the region, including by inviting representatives of such States to meet with the Committee to discuss implementation of the measures and further encourages the Committee to continue its dialogue with UNAMID;

13. *Welcomes* the Committee's work, which has drawn on the reports of the Panel of Experts and taken advantage of the work done in other fora, to draw attention to the responsibilities of private sector actors in conflict affected areas;

14. *Decides* to remain actively seized of the matter.